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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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15-584M

UNITED STATES OF AMERICA

COMPLAINT

- against -

(T. 18, U.S.C. § 2252(a)(2))

DANIEL USKOKOVIC,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

AARON E. SPIVACK, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation (“FBI”), duly appointed according to law and acting as such.

On or about and between August 30, 2014, and May 14, 2015, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DANIEL USKOKOVIC did knowingly receive any visual depiction, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct and such visual depiction was of such conduct, using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce or which contains materials which have been mailed or so shipped or transported, by any means including by computer.

(Title 18, United States Code, Section 2252(a)(2)).

The source of your deponent's information and the grounds for his belief are as follows:

1. I have been a Special Agent with the FBI since October 2008 and am currently assigned to the New York Office. Since May 2010, I have been assigned to a Crimes Against Children squad and have investigated violations of criminal law relating to the sexual exploitation of children. I have gained expertise in this area through classroom training and daily work conducting these types of investigations. As a result of my training and experience, I am familiar with the techniques and methods used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities. As part of my responsibilities, I have been involved in the investigation of numerous child pornography ("CP") cases and have reviewed thousands of photographs depicting minors (less than eighteen years of age) being sexually exploited by adults. Through my experience in these investigations, I have become familiar with methods of determining whether a child is a minor. I am also a member of the Eastern District of New York Project Safe Childhood Task Force.

2. I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, my training and experience, and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

3. A website ("Website A") was operated on a network ("the Network") available to Internet users who are aware of its existence. The Network is designed specifically to facilitate anonymous communication over the Internet. Websites that are accessible only to users within the Network can be set up within the Network and Website A

was one such website. Website A could not generally be accessed through the traditional Internet. Only a user who had installed the appropriate software on the user's computer could access Website A.

4. Website A was a child pornography bulletin board and website dedicated to the advertisement and distribution of child pornography and the discussion of matters pertinent to the sexual abuse of children, including the safety and security of individuals who seek to sexually exploit children online. On or about February 20, 2015, the computer server hosting Website A was seized from a web-hosting facility in Lenoir, North Carolina. Between February 20, 2015, and March 4, 2015, law enforcement agents acting pursuant to an order of the United States District Court for the Eastern District of Virginia monitored electronic communications of users of Website A.

5. According to data obtained from logs on Website A and monitoring by law enforcement, a user with the user name "login" originally registered an account on Website A on September 9, 2014. Between November 2014 and March 2015, the user "login" actively logged into Website A for a total of 117 hours, 6 minutes, and 7 seconds. During this activity, the user "login" accessed numerous posts on Website A containing sexually explicit images of prepubescent females. For example, on February 23, 2015, the user "login" accessed Website A using the IP address 66.108.5.14 utilizing MAC address: 74D02BCB8683, specifically the post entitled "Girl amazing cute 5 yo nude pose." Among other things, this post contained a thread with over 360 images of girls approximately 5 years old posing in panties and some with their vaginas exposed. As another example, on, March 3, 2015 the user "login" accessed a post that contained a link to a set of images that depicted a young prepubescent girl laying on a hardwood floor with no underwear and a blue and green swimsuit top, as she is digitally

penetrated by an adult male. The focus is on the young girl's vagina and the adult male's hand as he penetrates her vagina with his finger.

6. Using publicly available websites, FBI Special Agents were able to determine that the IP Address 66.108.5.14 was operated by the Internet Service Provider ("ISP") Time Warner Cable.

7. Records obtained from Time Warner Cable, in response to a subpoena, showed that the IP address 66.108.5.14 during the pertinent time frame described above was registered to an individual ("Individual 1"). The address that Time Warner Cable had associated with Individual 1 was an apartment in a building located in Brooklyn, New York (hereinafter the "Brooklyn Address").

8. According to information provided by the building superintendent for the Brooklyn Address, the defendant DANIEL USKOKOVIC resides at the Brooklyn Address with Individual 1. According to recorded provided by ConEdison, a public utilities provider to the greater New York City area, the defendant and Individual 1 receive utilities at the Brooklyn Address.

9. On June 25, 2015, FBI agents executed a search warrant, issued on June 24, 2015 by the Honorable Lois Bloom at the Brooklyn Address.

10. Law enforcement agents discovered Individual 1 in the Brooklyn Address, and the defendant DANIEL USKOKOVIC in the bedroom of the Brooklyn Address.

11. Agents recovered from USKOKOVIC's bedroom a desktop computer, a hard drive, and other electronic media. Pursuant to the aforementioned search warrant, agents performed a preliminary review of the desktop computer, and determined that the desktop computer contained the necessary software to access the Network and Website A. The agents

also performed a preliminary review of the desktop computer, and discovered that it contained at least 5,000 computer files that an initial review indicate are child pornography images and videos. Agents reviewed a number of those files, including:

- a. **0\_webcam mommy and daughter 5 yo.mp4** is a video file that is approximately 9 minutes and 7 seconds in length depicting a prepubescent girl that appears to be approximately four to five years old. The video depicts a prepubescent girl who is fully nude and engaging in various sexual acts with an adult woman, including anal penetration with a physical object.
- b. **(g)super-girl 9yo and man.avi** is video file that is approximately 3 minutes and 36 seconds in length depicting a prepubescent girl that appears to be approximately age eight or nine years old. The video depicts a prepubescent girl engaging adult male in oral sex. The video subsequently shifts to show the prepubescent girl, naked waist down and shows the adult male ejaculate on the prepubescent girl's vagina.

12. A review of the system information of the desktop computer indicated that the MAC address for that desktop computer is the same MAC address as the one used by the user "login" to access child pornography on Website A.

13. USKOKOVIC was placed under arrest, read his Miranda rights, waived his rights, and agreed to speak to law enforcement. The defendant stated, in sum and substance and in part, he had visited Website A, he had used a program called "Frost" to download files onto his computer, and he downloaded files regularly. Law enforcement showed the defendant files that contained child pornography images and videos, and the defendant confirmed that he downloaded the files. The defendant further admitted that he had received the file described in paragraph 11(a) on or about May 14, 2015, and that he had received the file described in paragraph 11(b) on or about August 30, 2014.

WHEREFORE, your deponent respectfully requests that the defendant DANIEL  
USKOKOVIC be dealt with according to law.

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AARON E. SPIVACK  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
25th day of June, 2015

S/ Lois Bloom

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THE HONORABLE LOIS BLOOM  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK